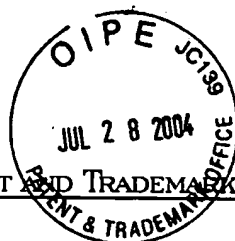


IFW

\$



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,813	03/26/2004	Gordon Muth	85136-302

23529  
 ADE & COMPANY  
 1700-360 MAIN STREET  
 WINNIPEG, MB R3C3Z3  
 CANADA

**CONFIRMATION NO. 7822**  
**FORMALITIES LETTER**  
**\*OC000000012932938\***  
 \*OC000000012932938\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 SDIRETAL 00000004 10807813

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP  
 03 FC:2202 45.00 OP

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4.
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 4.
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1-3.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$90** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$990** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$90**
  - **\$90** for **5** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**85136-302 ADB**

In Re Application Of: **Gordon Muth**

Application No.

**10/809,813**

Filing Date

**March 26, 2004**

Examiner

Customer No.

**23529**

Group Art Unit

**1744**

Confirmation No.

**7822**

Invention:

**VACUUM APPARATUS**

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

June 14, 2004

*Date*

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ 1 verified small entity declaration(s)
  - ☒ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

Letter filing new drawings (3 sheets)

Statement under 35 CFR 1.56

Form PTO 1449

(3) patent copies

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
85136-302 ADB

In Re Application Of: **Gordon Muth**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/809,813	March 26, 2004		23529	1744	7822

Invention:

**VACUUM APPARATUS**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$385.00

☐ Design application filing fee \_\_\_\_\_

☒ Total number of independent claims = 3 \_\_\_\_\_

☒ Total number of claims = 25 \$45.00

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees \$495.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due \$495.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**85136-302 ADB**

In Re Application Of: **Gordon Muth**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
<b>10/809,813</b>	<b>March 26, 2004</b>		<b>23529</b>	<b>1744</b>	<b>7822</b>

Invention:

**VACUUM APPARATUS**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$495.00** is to be paid as follows:

- ☒ A <sup>20.00</sup>check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.

  
Signature

**Adrian D. Battison**  
**Registration No; 31,726**

/s/

Dated: **July 26, 2004**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:



EXAMINER:

GROUP: 1744  
APPLICANT: Gordon Muth  
SERIAL NO: 10/809,813  
FILED: March 26, 2004  
FOR: VACUUM APPARATUS

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Missing Parts  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202  
U.S.A.

Dear Sir:

In response to the Notice to File Missing Parts dated June 14, 2004,  
please find enclosed herewith new drawings as requested (3 sheets).

Would you please make these of record in this application.

Respectfully submitted

GORDON MUTH

PER:

Adrian D. Battison  
Registration No: 31,726

ADB/II  
July 26, 2004  
Enc.(3)

Adrian D. Battison      Winnipeg, Manitoba, Canada  
Telephone (204) 947-1429 - FAX (204) 942-5723